

Application No. 09/872,895
June 12, 2003

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PATENT APPLICATION

Case, LLC

By:

Brant T. Maurer
Brant T. Maurer

Date: June 12, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 2878

EXAMINER: KEVIN K. PYO

In re application of:
Mohammad Javaid Arshad et al.

Application No: 09/872,895

Filed: June 4, 2001

Attorney Docket No. 13937

)
)
) For: MULTI-FIBER MULTI-
) CYLINDER POSITION
) METHOD AND
) APPARATUS USING TIME-
) OF-FLIGHT TECHNIQUE
)

Commissioner for Patents
Mail Stop Petitions
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Petitions Office
Christina Donnell

June 12, 2003

PETITION UNDER 37 C.F.R. 1.53(e)

Dear Ms. Donnell:

In response to the Office Action mailed February 25, 2003, which served as first notification to the Applicants of a missing figure (Fig. 4), Applicants respectfully request

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entry and acceptance of the following Petition under 37 C.F.R. 1.53(e). Attorney Brant T. Maurer, having U.S. Patent Reg. No. 53,285, is authorized to represent Applicants under Customer No. 26637 and to give the United States Patent and Trademark Office ("USPTO") authorization to charge the appropriate fee of \$130.00 under 37 C.F.R. 1.17(h), or to credit any overpayment, to Deposit Account No. 03-1025 to secure entry and acceptance of this Petition.

REMARKS:

According to MPEP Section 503, "a postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO." As illustrated by a copy of the postcard receipt attached hereto as Exhibit A, on June 1, 2001 (First Class Mail submission date), the Applicants properly itemized the contents of U.S. Patent Application No. 09/872,895 in accordance with MPEP 503, including, most importantly, the number of sheets (4) and figures (4) of patent drawings. A replacement Fig. 4 is attached hereto as Exhibit B. Thereafter, on June 4, 2001, the USPTO date-stamped the postcard indicating the USPTO's receipt of all the itemized attachments, including Figs. 1-4, indicated thereon.

Accordingly, Applicants hereby request that Fig. 4 receive a June 4, 2001 filing date consistent to that received by Figs. 1-3. In summary, because Applicants' USPTO-

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date-stamped itemized postcard receipt constitutes *prima facie* evidence of receipt in the USPTO of all of the items listed thereon, including Fig. 4 of the drawings, Applicants respectfully request issuance of a June 4, 2001 filing date for all parts of U.S. Patent Application No. 09/872, 895. Favorable reconsideration of this Petition is respectfully requested. Should the Senior Petitions Attorney believe that the entry and allowance of this Petition could be so expedited, she is requested to call Applicants' undersigned Attorney at the number listed below.

Respectfully submitted:

BY Brant T. Maurer
Brant T. Maurer
Attorney for Applicants
Registration No. 53,285

Case, LLC
Intellectual Property Law Department
700 State Street
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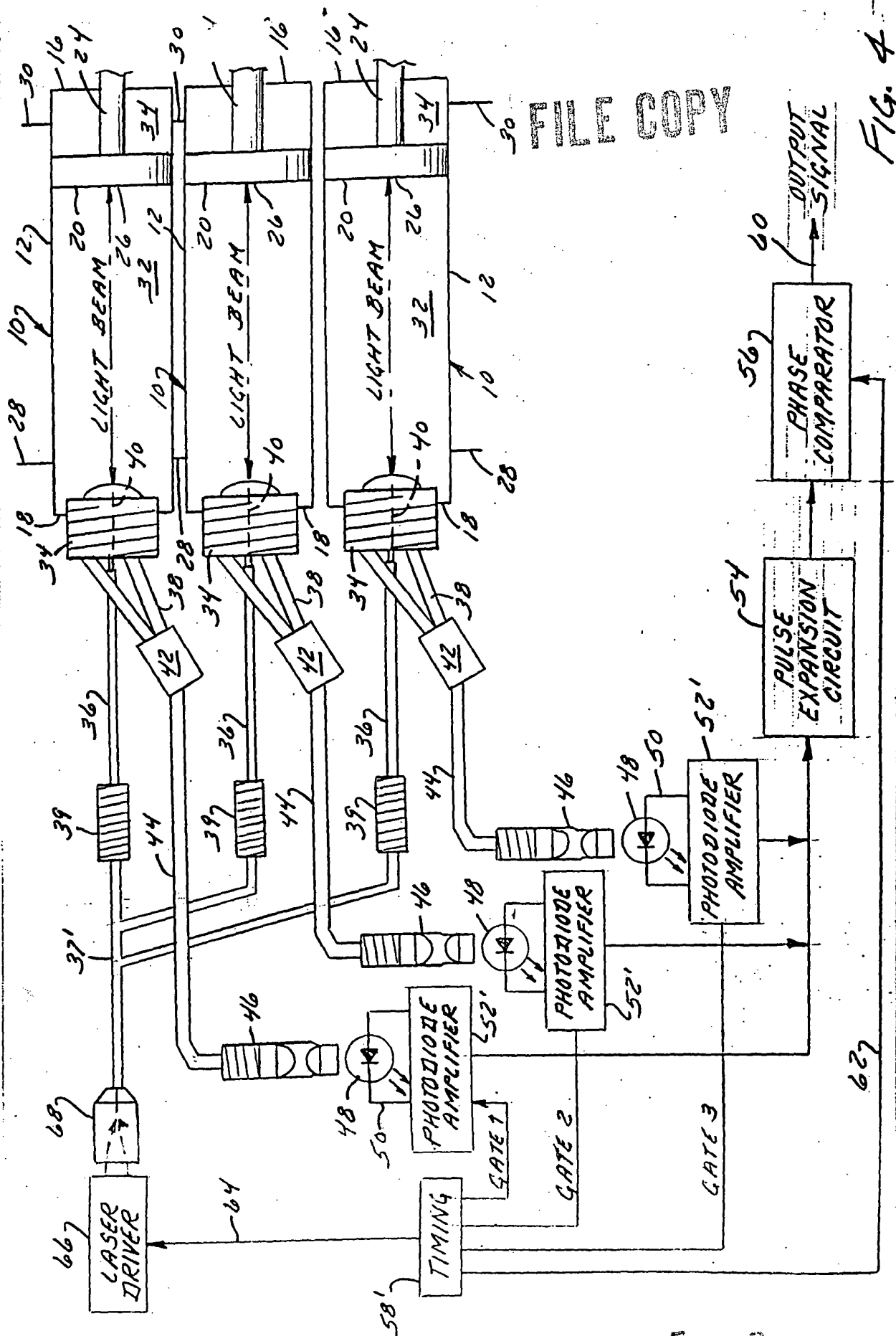


Fig. 4

FIG. 4



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Re: U.S. Application Title: MULTI-FIBER MULTI-CYLINDER
POSITION METHOD AND APPARATUS-USING TIME-OF-FLIGHT
TECHNIQUE

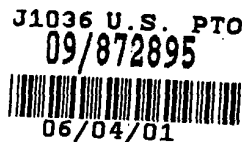
Inventor(s): Arshad, et al.

Docket No: 13937 Assignee: _____ Priority: _____

The following has been received in the U.S. Patent Office on the DATE
STAMPED hereon and assigned SERIAL NO.:

Transmittal letter, First Class Mail dated June 1, 2001, enclosing:

- X Specification, Claim(s), and Abstract (total pages 23)
- X Informal patent drawings (4 sheets, Figures 1-4)
- X Combined Declaration & Power of Attorney (3 pages)
- X Assignment of the Invention to Case Corporation
- X Authorization to Charge Deposit Account
- X Information Disclosure Statement
- X Form PTO 1449 and References



Ex. A